

REMARKS

I. STATUS OF THE CLAIMS

Various of the claims are amended herein.

New claims 19-26 are added.

Support for the claim amendments and new claims is found, for example, in FIGS. 3 and 4, and the disclosure on page 7, line 10, through page10, line 18, of the specification.

In view of the above, it is respectfully submitted that claims 1-26 are currently pending.

II. REJECTION OF CLAIMS 1-2, 4, 6, 11 AND 13 UNDER 35 USC 102(B) AS BEING ANTICIPATED BY EMERSON

Independent claim 1 is amended to recite first and second phone line connectors attached to first and second phone lines, respectively. Moreover, claim 1 is amended to recite that *each* of the first and second phone lines allows communications *to and from* the slave test unit over the respective phone line. Somewhat similar amendments are made to claim 11.

In view of the Examiner's comments in item 5(a) on page 8 of the outstanding Office Action, it is respectfully submitted that the Examiner would agree that the claim amendments indicate a distinguishing feature over Emerson.

Further, claim 1 is amended to recite that each of the first and second phone lines allow communications to and from the slave test unit over the respective phone line, and that each of the first and second phone lines is connected to a digital data network so that communications transmitted via packets through the digital data network are transmitted between the digital data network and the slave test unit over the respective phone line. Somewhat similar amendments are made to claim 11. See, for example, FIGS. 3 and 4, and the disclosure on page 7, line 10, through page10, line 18, of the specification.

Claim 1 is also amended to recite testing voice signal quality of voice calls transmitted through the first and second phone lines and as packets through the digital data network. Similar somewhat amendments are made to claim 11.

Emerson relates to data networks. However, Emerson does not relate to telephone calls made over packet networks. More specifically, Emerson does not relate to testing voice signal quality of voice calls transmitted through phone lines and as packets through a digital data network.

In view of the above, it is respectfully submitted that the rejection is overcome.

III. REJECTION OF CLAIMS 3 AND 12 UNDER 35 USC 103 AS BEING UNPATENTABLE OVER EMERSON

The comments in Section II, above, for distinguishing over Emerson, also apply here.
In view of the above, it is respectfully submitted that the rejection is overcome.

IV. REJECTION OF CLAIMS 5, 7-10, 14-18 UNDER 35 USC 103 AS BEING UNPATENTABLE OVER EMERSON IN VIEW OF HARDY

The comments in Section II, above, for distinguishing over Emerson, also apply here.
In view of the above, it is respectfully submitted that the rejection is overcome.

V. CONCLUSION

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

Date:

Jul 27, 2004

By:

Paul I. Kravetz
Paul I. Kravetz
Registration No. 35,230